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SOME
ANIMADVERSIONS
ON THE
Necessity of continuing
THE
Present PARLIAMENT.

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SOME

ANIMADVERSIONS



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Necessity of continuing

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Protest PARLIAMENT

(Price 2s. 6d.)

6
SOME
ANIMADVERSIONS

UPON THE
NECESSITY of continuing
THE *Great Britain*
Present PARLIAMENT
DURING
The WAR with
S P A I N.

Great Britain
 Lords & Commons Houses of

Necessitati ne quidem Dii resistunt.

LONDON:

Printed for T. COOPER, at the Globe
in Pater-noster-Row. 1740.

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ANIMADVERSIONS

UPON THE

Necessity of continuing

THE

PRESENT PARLIAMENT

DURING

The WAR with

S. P. A. I. N.

Reprinted from the original manuscript.

LONDON:

Printed for T. Cooper, at the Globe
in Pall-mall, 1790.



The Necessity of continuing
**the PRESENT PARLIA-
MENT, &c.**

THAT Nations, as well as Individuals, have fallen into Errors, and mistaken their real Interest, is a Truth that will not be controverted; and it is with the highest Concern I am oblig'd to say, we have many fatal Instances of it in our own.

The Time of the Continuance of Parliaments has often varied since the Conquest; and tho' it has been frequently urged, that a triennial Parliament was our antient Constitution, yet it is very certain, that the word Triennial was not known till the Reign of King *Charles I.* when an Act passed to prevent the Inconveniencies which may arise by the long Intermission of Parliaments: By which it was provided, that there should be a Session once in three Years; but there

(2)
was no time limited for the Duration of
Parliaments.

That Act was repealed in the Reign of
Charles II. there being some Clauses in
it, which were look'd upon to be derog-
atory to the Crown. And the first Re-
striction, as to the Duration of Parlia-
ments, was in the Reign of *William* and
Mary; and tho' it might be well intend-
ed, yet it must be allow'd to have been
an Innovation and Infringement upon the
Rights of the Crown: and tis probable,
no Prince, that was not distress'd, would
have consented to such a Law.

The Triennial Act was suspended by
the Septennial in the Year 1716; and if
Time and Experience are the safest
Guides to Truth, it must be granted, that
it has been attended with all the happy
Effects propos'd by it, tho' there was a
mighty Outcry against it; nay, it was
urged by the Gentlemen who oppos'd it,
whilst under Debate, that fatal Conse-
quences would result from it; and some
declared openly that it was no less than
a total Subversion of the Constitution.
But the whole Learning of Parliaments,
with the manner of convening, holding,
and continuing them, is clearly set forth

in

in the late Mr. *Hambden's* Speech in the House of Commons, which concludes these Sheets.

The same Motives that were insisted upon for the septennial Act may be urged at this time; for the Continuance of the present Parliament, during the War with *Spain*; that is, the unsettled State of Affairs, the Encouragement to our Allies, and the Apprehensions of Tumults and Riots upon a new Election.

It cannot be denied but the present State of Affairs abroad, as far as they relate to *Great-Britain*, is very precarious, and seems to portend Wars and Calamities: Should Providence take away the present Elector-Palatine, of which we have the greatest Reason to be apprehensive; considering his great Age and Infirmities, a War will, in all appearance, break out between the several Princes, who claim a Right to the Succession of *Juliers* and *Berg* upon the Death of his Electoral Highness: Amongst others, his *Prussian* Majesty, who is so nearly allied to his Majesty of *Great Britain*.

We have another gloomy Prospect before us from the *North*, where a Cloud seems to be gathering and to threaten

that part of the World, and considering our Alliances with *Sweden* and *Hesse-Cassel*, 'tis very probable *Great Britain* would be under a necessity of supporting them; to which the late Match will not a little contribute.

If we cast our Eyes towards the *South*, we shall see *Portugal*, from which *Great Britain* draws such immense Wealth, threaten'd with Armies and Invasions, for observing a Neutrality between us and *Spain*; and I am persuaded, we are too sensible of the Advantages of our Commerce with that Crown, not to assist her, in case of any Attempts, either from *France* or *Spain*; and 'tis well known, that we sent a powerful Fleet a few Years ago, to make good the Defensive Alliance made with that Kingdom, in the Reign of Queen *Anne*, which is to be perpetual.

But there is a neighbouring Kingdom, from which we have Reason to dread more Evils than any other; 'tis *France*, that has been for above a Century the Terror, not only of *England*, but I may say of all *Europe*. 'Tis from *France* we have, and always must conceive the most dreadful Apprehensions, since

since 'tis but too well known, that she is always watching for some kind Opportunity of making *Great Britain* a Province : We see what a perfidious Part she is acting at this very time ; her Ministers would persuade us, that their Court has nothing more at Heart than the Tranquillity of *Europe*, though 'tis notorious, that under that deceitful Calm, the *French* Ministers, in all the Courts of *Europe*, are making the strongest Efforts to lead the Princes, to whom they are sent, into a false Security, till her Armies are in the Field, and then it may be too late to think of any Opposition against the vast and dangerous Schemes of that Crown.

Since, 'tis pretty evident, from what has been now offer'd, that we have nothing but melancholy Prospects abroad, on all sides, let us take a summary View of our Affairs at Home, which are no ways promising ; for though some Gentlemen of Rank, who seem'd to be the most zealous for the present War, engaged their Honours to come into all the Measures that should be proposed for pushing it on with Vigour, yet, now we hear of nothing but Complaints,

plaints, wrong Steps, and Mismanagements; and great pains are taken to influence the People and to make them weary of a War, for which they had express'd a longing Desire for many Years.

Will not Foreign Nations conclude from such preposterous Conduct, that we are seized with a Delirium; first, to make loud Cries for War, and as many against it, almost as soon as 'tis begun?

Would it not be the most consummate Wisdom then, to continue the present Parliament, in such an unsteady and dangerous Condition of Things, as well at home as abroad; a Parliament that has given the most signal Testimonies of their Zeal for the Welfare of the Nation, by the many good and salutary Laws made every Session, and by the large Supplies they have granted with Unanimity for carrying on the present War.

Amongst other Arguments for continuing this Parliament, during the War, we must observe, that the Members who compose the House of Commons, are thoroughly acquainted with the Motives

tives that lead to it, and the Means for carrying it on; but should we have a new Election, and a House of Commons filled with Gentlemen that may be Strangers to the Course of Affairs; that may, perhaps, to gratify Spleen or Resentment, begin a Session with groundless Impeachments and long Speeches against the Ministry, and this, amidst the Calamities of an expensive War, we may, in such case, pronounce the Kingdom will be upon the Verge of Destruction.

What else can be expected, should it be our hard fate to have a House of Commons that would lavish away their time in quarrelling with a Ministry; and I believe, there is no Instance in History, where the Affairs of the Kingdom were well conducted, whilst Disorder reigned between Parliament and Ministry: As it did almost, during the whole Reign of King *William*, and some part of that of *Charles II.* from which all their Misfortunes must be derived.

There is another Evil to be dreaded from such a new Election, that is, that it will revive Animosities, and create ill Blood in all Ranks of People, which

which are the natural Effects of all Elections; and though such Consequence, are always highly injurious, yet they are much more so, in a time of Wars which requires the strictest Unanimity and Concord.

Should it be our Lot to have a discontented House of Commons, in a time of War, Supplies will be retarded, upon the Dispatch of which, the Safety of the Kingdom so much depends, and few Princes or States will enter into any Alliance with us; and should we be attack'd by *France*, which is not improbable, I am persuaded, no one can imagine, we can support a War alone, against such a formidable Power united with *Spain*.

I grant we have already many Alliances, but 'tis probable, that new ones must be made, to quadrate with the present State of Affairs; however, this must be acknowledged, that Princes are seldom inclinable to execute old Treaties, or enter into new Ones, with a distracted Nation.

The happy Union between the Parliament and Ministry, was the Source of the long Train of Successes, for which
the

the Reign of Queen *Anne* is so much distinguished, from that of her Predecessor.

Should we have a Parliament of a different Complexion from the present, and that amidst the Flames of a doubtful War, we must expect new Schemes and new Measures.

We have felt the sad Effects of such Management in the Reign of that Princess ; she parted with one of the best Parliaments that ever was, which, with a new Ministry, had in a great Measure eclipsed all the Glory of the first eight Years of her Reign, by the shameful Peace of *Utrecht*, to which we must attribute the present unhappy Condition of most of the Princes of *Europe*.

The Remembrance of that fatal Peace, and the Measures pursued by the Ministry and Parliament to obtain it, had so far alarmed our old Allies, that no Arguments could prevail with them, to enter into any Alliances with the late
 C King

King, till Assurances were given, there should be no Change of Ministry, that would leave them in the Lurch again : and perhaps, that was one of the Considerations that paved the way for the Septennial Act, which has been attended with all the happy Consequences proposed by it, of which four and twenty Years Experience has convinced the Nation, and of which we have the most irrefragable Proofs in the frequent Re-elections of the Gentlemen who not only voted, but spoke in its favour.

The *Poles*, who of all Nations in the World, are the most Jealous of their Liberties, never change their Dyets, during the Continuance of a War ; being well apprized, that frequent Elections, would not only revive old Animosities, but create new ones ; which was indeed our own Case, whilst the Triennial Act was in force.

Though a Multitude of other Arguments might be urged for continuing the present Parliament during the War with *Spain*, I am not yet apprized of
one

one against it, that has any Weight of Solidity to support it.

We have a thorough Knowledge of the Merit and Abilities of the present Parliament, by six Years Experience; so that there can be no room for any Apprehensions of their making an ill use of an extraordinary Power, which the Necessity of Affairs, and the Preservation of the Kingdom, render absolutely Necessary.

Should it be objected, That such a Design, as is now contended for, may be deferr'd till next Session, which will be the last of this Parliament; we acknowledge, indeed, that such an Objection might have its Weight, could we have Assurances, that we should enjoy the same State of Tranquillity we now do: But I believe, no one will be so hardy, as to venture his Reputation upon so precarious a Topick. We are now threaten'd with Descents and Invasions; we hear of nothing but *French* and *Spanish* Fleets and Armies; and should our Enemies throw a Body of

Men into the Kingdom, what Confusion and Disorder must ensue? Would it be then practicable to continue the present Parliament, or to proceed to a new Election, whilst a Foreign Enemy was possess'd of any Part of the Kingdom?

Should such a Catastrophe happen during the Interval of Parliament, our Condition must be very deplorable, since we could have no Freedom of Elections; as the Cities and Towns, that return Members, might possibly be under the Terror or Influence of an armed Force.

For these Reasons, we must conclude, that no Opportunity seems so favourable for continuing this Parliament during the War, as the present, when the Nation enjoys Peace and Tranquillity, and when we have but one declared Enemy to struggle with.

There is another Objection in our way, that is, That the Continuance of this Parliament beyond the Term of seven Years, would be a dangerous Innovation.

The

The like Arguments were offer'd against the Septennial Bill, and both equally groundless; for neither Triennial nor Septennial Parliaments are the Constitution of the Kingdom, since the former had no Existence before the Reign of *William* and *Mary*; and it would be pretty Extraordinary, if a Law of two and twenty Years Duration should be placed amongst the Fundamental Laws of the Kingdom.

But let us suppose for once, that the Septennial Act is now become a Fundamental Law, should that be an Argument against suspending or altering it, when the Welfare, or rather the Preservation of the Kingdom required it?

Human Laws as well as all other sublunary Things are in a perpetual State of Fluctuation, there is nothing immutable in the World; the Constitutions of all the Kingdoms in *Europe*, have undergone various mutations; and none more than our own: and I believe whoever takes a View of the State of our
Funda-

Fundamental Laws two Centuries ago, and compares it with the present, can scarcely discover any Features of Resemblance in some.

This must be imputed, either to Necessity, or the Changes which Time will always produce in Human Affairs.

Hereditary Right was a Fundamental Law of the Kingdom, as well before, as many Ages after the Conquest, but it was thought necessary to change that Order of Succession.

Should I exhibit a Catalogue of all the Fundamental Laws of the Kingdom, which have been alter'd from time to time for Conveniency or Necessity, this Essay would swell beyond the compass intended: But this may be affirmed, that no Human Laws are immutable, and that 'tis consistent with the Power and Authority of Parliaments to make, repeal, or alter them for the Publick Good; which has been the frequent Practice, in all Ages.

An

An Act passed in the Reign of Queen *Anne*, for disabling all Persons from being elected for Counties, who were not possess'd of a Freehold Estate of 600 l. a Year, and for Boroughs, who had not a Freehold Estate of 300 l. a Year: Now by that Law, above Two-Thirds of all the Gentlemen of the Kingdom were deprived of their Birth-Right; and yet I have not been informed, that the Power of the Parliament to pass it, was ever called in question, though it is highly probable, the Electors never consented to it, when they chose them.

It may probably be objected, That the continuing of this Parliament, will consequently continue the Ministry, and that long Parliaments will be always devoted to them; but this is very certain, that no Long Parliaments were ever more attached to a Ministry than the two last of Queen *Anne*; tho' they were *Triennial*.

Nothing would be more Imprudent, than to trust the People with a new Election,

Election, during the present Discontents and Animosities which rage in all Parts of the Kingdom, through the Artifices of designing Men, who are making all their Efforts to poison the Minds of the People, with frightful Relations of *Spanish* Conventions, and Mismanagements, an expensive War, Loss of Trade, and many other popular Complaints.

These, I say, are the Arts that have for some time been practised to influence the People, and to animate them against the Majority of the present House of Commons, upon a new Election.

It would therefore be the highest Wisdom to continue the present Parliament during the War, and no longer; for by that time, we have reason to think the Phrenzy will be much abated, and that the People will think themselves under the strongest Ties of Gratitude to King and Parliament, for their Providential Care of them, at a time when they must otherwise be irretrievably lost.

Nothing would be more impudent than to tell the People with a new Election.

Mr.

Mr. Hampden's Speech.

SIR,

THE House is now enter'd upon the Exercise of a Power, which of Right, and agreeable to the Constitution, belongs to them; I mean that Branch, which they, as Part of the Legislature, have of repealing Laws, or extending and limiting them, in such manner, as shall appear to them most conducive to the Service of their Country.

As this Right of altering the Laws, does undoubtedly belong to the Legislature, it ought to be used with the utmost regard, since, 'tis equally a Crime to

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' enervate

' enervate Laws, that are found
 ' to be a Support to our Govern-
 ' ment, as to omit the Abolishing,
 ' or Suspending such as have not
 ' answered their End, when
 ' made, or which is worse, have
 ' proved detrimental.

' It is a commendable Zeal,
 ' when Gentlemen, in their De-
 ' bates express a Tenderness for
 ' the existing Constitution of their
 ' Country, and their Apprehen-
 ' sions of the least Innovation
 ' in the Frame of Government;
 ' and I am not surprized, that
 ' 'tis objected, in so popular a
 ' manner, that the passing of this
 ' Bill, for suspending the Law
 ' for the Election of Triennial
 ' Parliaments, is to sap the Foun-
 ' dation of our *English* Liber-
 ' ties.

' But

‘ But if it shall appear upon
 ‘ an impartial enquiry, that this
 ‘ Bill, which was made for the
 ‘ Benefit of the Nation, has, in
 ‘ no respect, answered the Pur-
 ‘ poses for which it was calcu-
 ‘ lated, when made into a Law ;
 ‘ I presume it may be allow’d,
 ‘ that the Danger in suspending
 ‘ it, is more imaginary, than real.

‘ And since ’tis as unjustifiable
 ‘ to be as tenacious of a Matter,
 ‘ that has no Argument to support
 ‘ it, as not to give way to what
 ‘ Experience has demonstrated,
 ‘ if this Bill should, in its Con-
 ‘ sequences, be void of Proof of
 ‘ answering the Ends for which
 ‘ it was made, I hope it will not
 ‘ be so great a Crime to suspend
 D 2 ‘ it,

‘ it, as it has with Industry been
 ‘ represented without Doors.

‘ A principal Argument for
 ‘ Continuing the Triennial Bill is,
 ‘ That ’tis agreeable to the An-
 ‘ tient Laws of this Nation, that
 ‘ there should be frequent Par-
 ‘ liaments. I find by the Laws
 ‘ I have look’d over, that Parlia-
 ‘ ments ought to be frequently
 ‘ held; but I find it no where
 ‘ laid down, as a fundamental
 ‘ Position of the Nature of this
 ‘ Constitution, that there should
 ‘ be frequent Elections.

‘ If Gentlemen will look to
 ‘ the beginning of Parliaments,
 ‘ they will find, in the 4th, 5th,
 ‘ and 36th of *Edw. III.* that for
 ‘ Redress of diverse Mischiefs and
 ‘ Grievances,

‘ Grievances, which daily happen,
 ‘ a Parliament shall be holden
 ‘ every Year, or oftner, if need
 ‘ be. Let it then be consider’d
 ‘ in what manner, those Parlia-
 ‘ ments were held. When the
 ‘ King met his Parliament, they
 ‘ used to sit ten or twenty Days,
 ‘ and then were prorogued, or
 ‘ dissolved, and there were fre-
 ‘ quent Intermiſſions of Parlia-
 ‘ ments, none being called for
 ‘ ſeveral Years.

‘ To come down to the Time
 ‘ of *H. VIII.* few of his Parlia-
 ‘ ments ſat more than twenty
 ‘ Days, though the Parliament
 ‘ did not meet every Year, and
 ‘ from the 7th to the 25th. of his
 ‘ Reign, there are no Journals,
 ‘ and conſequently, we cannot
 ‘ tell,

‘ tell, in what manner Parlia-
 ‘ ments were held ; afterwards,
 ‘ there were several Parliaments,
 ‘ but not every Year, to the end
 ‘ of his Reign.

‘ A Parliament was called the
 ‘ 1st Year of *Edw. VI.* and in
 ‘ five Years, sat but four Months.
 ‘ In *Philip* and *Mary’s* Reign,
 ‘ there were four Parliaments,
 ‘ but the Sessions extremely short.
 ‘ From the 2d to the 5th, and
 ‘ from the 7th to the 13th of
 ‘ Queen *Elizabeth*, no Parlia-
 ‘ ment met ; and from the 14th
 ‘ to the 25th of her Reign, the
 ‘ Parliament sat only from the
 ‘ 8th of *May* to the 30th of
 ‘ *June* ; and four Years after,
 ‘ from the 8th of *February* to
 ‘ the 8th of *March* following ;
 ‘ and

‘ and in eight Years after, ne-
 ‘ ver sat to do Business, but
 ‘ were then dissolved. There were
 ‘ six other Parliaments in her
 ‘ Reign, but never sat long,
 ‘ unless that in the 39th of her
 ‘ Reign, which sat four Months.

‘ The Parliament the first of
 ‘ *James* the First, sat about four
 ‘ Months; and in three Years af-
 ‘ ter, sat about eight Days: that
 ‘ Parliament was not dissolved,
 ‘ till the 9th of *James*, but sat
 ‘ twice or thrice only. There
 ‘ were three other Parliaments
 ‘ in his Reign, but they met very
 ‘ seldom.

‘ The Sessions in *Charles* the
 ‘ First's Reign, were much shorter
 ‘ than those of late Days, and
 ‘ there

' there were very frequent Pro-
 ' rogations ; and in the sixteenth
 ' of his Reign, an Act was pas-
 ' sed, for preventing Inconvenien-
 ' cies, by long Intermiſſion of
 ' Parliaments. In this Reign the
 ' Long Parliament was held, and
 ' whatever Corruptions they were
 ' tainted with, they could ne-
 ' ver be accused of favouring the
 ' Cause of *France*, or attempt-
 ' ing to enslave their own Coun-
 ' try.

' That Act was repealed in
 ' the Reign of *Charles* the Se-
 ' cond, as being derogatory to
 ' the Prerogative, and as it
 ' might be the occasion of ma-
 ' nifold Mischiefs, and might en-
 ' danger the Peace of his People.

' In

' In the Reign of *James* the
 ' Second, a Parliament was held
 ' in 1685, and sat above two
 ' Months, and was at several
 ' Times prorogued to *November*
 ' 1687. Then the happy Revolu-
 ' tion took Place, and in the
 ' Bill of Rights, first of *William*
 ' and *Mary*, it is declared, That
 ' all the Rights and Liberties as-
 ' serted, and claimed in the said
 ' Declaration, are the true, an-
 ' tient and indubitable Rights,
 ' and Liberties of the People
 ' of this Kingdom, and ought to
 ' be firmly and strictly holden
 ' and observed. And in the
 ' same Bill, amongst that long
 ' Catalogue of Grievances, which
 ' precedes the said Declaration,
 ' there is not the least mention

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' made

' made of want of frequent E-
 ' lections, but only, that Parlia-
 ' ments ought to be free. In
 ' the sixth of King *William*, this
 ' now favour'd Bill for Trien-
 ' nial Parliaments was passed.

' If Gentlemen will look over
 ' Writs of Summons, and the Re-
 ' turns of those Writs, they will
 ' find no mention, how long
 ' any Parliament is to continue,
 ' but the Return makes men-
 ' tion of the Persons who are to
 ' serve in the Parliament that
 ' is to meet, and be held at such
 ' a Time at *Westminster*.



FINIS.

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